Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

5 August 2014

Original: English

2014 Meeting
Geneva, 1-5 December 2014

Biological Weapons Convention
Meeting of Experts
Geneva, 4-8 August 2014
Item 7 of the provisional agenda
Standing agenda item: strengthening national implementation

National implementation of the Biological Weapons Convention

Submitted by Australia, Japan, Malaysia, Republic of Korea and Thailand

Overview

1. The overall aim of this working paper is to raise awareness among relevant national officials and experts on different aspects of Biological Weapons Convention (BWC) implementation, and to identify needs and requirements for enhancing regional and national programmes and/or initiatives in support of BWC implementation. Effective implementation of the BWC includes but is not limited to effective national legislation, domestic biosecurity regulations and capabilities and export controls on sensitive materials (in some cases, developed through bilateral and regional cooperative efforts). These measures can all work in a complementary manner to enhance biological security globally, reduce the possibility of BW proliferation, and raise barriers to bioterrorism. These measures can also help to improve detection and response capabilities for natural or deliberate disease outbreaks, and facilitate exchange in the life sciences for peaceful purposes.

2. Through a better understanding of national implementation obligations, states parties have the opportunity to work together, in the intersessional programme and in preparations for the Eight Review Conference in 2016, to advance the cause of building a safer world free of the threat of biological weapons. This would also be an opportunity for States Parties to focus their attention to the effective action mandate, as highlighted by the Chairman of the 2014 Meetings of the BWC, in his letter dated 14 February 2014. This working paper provides several ideas which could be the areas of focus for effective action under the standing agenda item on Strengthening National Implementation.

GE.14-10124 (E)
1410124

Please recycle

Introduction

3. Effective implementation of the BWC helps reduce the risks of the biological sciences and biotechnologies being deliberately or inadvertently misused for malign purposes.

4. The Seventh Review Conference has provided us with a range of materials and tools with which to progress effective implementation of the BWC. This has to be acted upon, through the intersessional programme, domestic action, and cooperation with other States Parties and partners such as WHO, INTERPOL, the scientific community, industry, NGOs and civil society. These efforts have contributed to a growing and important discussion involving a diverse group of States Parties on ways to work collectively to strengthen national implementation of the BWC.

Obligations and undertakings

5. In order to effectively implement the BWC, it is important to have a clear understanding of States Parties' obligations and undertakings under the BWC. States Parties need to recognize the importance of measures to cover:

- legislative and regulatory frameworks including;
- export control regimes;
- biosafety and biosecurity;
- disease surveillance and outbreak response capacity;
- oversight of science;
- educational efforts and awareness raising;
- assistance and protection capacity;
- responding to alleged use;
- exchanges of information; and
- building capacity for peaceful use.

6. Further, States Parties are encouraged to participate in the confidence building measures process, the only existing transparency mechanism of the BWC.

7. National implementation legislation is important as it demonstrates political support for the BWC, and is useful in identifying other implementation requirements such as training and assistance needs to strengthen biosecurity preparedness. This would also encourage investments in the field of biology and, most importantly, prevent biological weapons proliferation.

8. However, for the legislation to be effective, it must be implemented effectively and properly promulgated and enforced. Critical in this process will be awareness-raising among key stakeholders such as parliamentarians, the scientific community, and law enforcement and border control officials.

9. For many States Parties national implementation is challenging, requiring education of, and coordination between different national stakeholders. The importance of making an effort towards a whole-of-government approach to implementation needs to be understood. Some specific suggestions on best practices for raising awareness of the BWC and establishing a national BWC implementation mechanism include:

- establishing a central point of contact and coordination for national implementation of the BWC
- establishing mechanisms for regular communication amongst key stakeholders, for example a regular meeting of an inter-governmental committee
- ensuring regular and timely participation in the confidence building measures process, including by involving all relevant areas of government and related areas
- organising awareness-raising workshops and training for establishing of efficient communication and coordination between national stakeholders, and
- promoting the BWC through related initiatives, such as outreach to industry, education and research sectors, and through the European Union CBRN Centres of Excellence.

10. There could also be value during the BWC intersessional period in identifying and exploring parallels in compliance requirements across different disarmament and non-proliferation treaties and international agreements, to maximise synergies and take advantage of existing or planned measures. For example, a State Party that was considering developing or strengthening its BWC national implementing measures could take practical steps to ensure such measures also complemented and enhanced national efforts to implement the Chemical Weapons Convention and the United Nations Security Council Resolution 1540.

Biorisk management, biosafety and biosecurity

11. National implementation requires a focus on national efforts to establish and apply measures to ensure biological agents are handled in a safe and secure way. The rapid developments in biological sciences make biosafety and biosecurity increasingly important considerations. If there is a limited understanding of the BWC and/or a limited awareness of biosecurity, the potential for deliberate or inadvertent mishandling of biological material, and for the proliferation of biological materials, expertise and technology to individuals or countries of concern, remains and may be exacerbated.

12. Strong political will is needed to ensure effective national implementation of the BWC. A low political will results in the absence of appropriate legislation, administrative measures and a lack of funding, leading to a lack of infrastructure and appropriate training. An additional complication arises from the multi-agency nature of BWC implementation. Therefore, an appropriate agency that can assume ownership and constitute a central authority is required to establish efficient coordination as well as biosafety and biosecurity measures.

13. In our modern world, infectious disease travels quickly. The general public has high expectations for immediate information, transparency, and effective responses to ensure their well-being and to limit the economic impacts of disease outbreaks. Therefore, close collaboration between the BWC community and the global health community is important, as there is a growing need for these communities to work together. In this context, national implementation also requires a focus on compliance with the 2005 International Health Regulations, to ensure States Parties can respond to public health emergencies, bioincidents and allegations on the use of biological weapons. Other initiatives such as the new Global Health Security Agenda initiative are also important, which brings together health security and BW non-proliferation objectives.

14. Therefore, compliance with the International Health Regulations is a key indicator of effective national implementation under the BWC. The International Health Regulations

represent a major step forward in international public health security, providing a framework for the collective international management of epidemics and other public health emergencies while minimizing disruption to travel, trade and economies. The International Health Regulations provide a global legal framework to strengthen national and international systems required for managing disease outbreaks and public health emergencies.

15. The International Health Regulations emphasize the importance of national capacities and requests WHO Member States to develop, strengthen and maintain effective, functional national systems and core capacities for surveillance and response particularly at designated international airports, ports and ground crossings. It is important that all countries implement the International Health Regulations, as the whole region suffers if one country does not have implementation.

16. The International Health Regulations core capacity monitoring framework requires annual completion of a 28-page questionnaire requiring multi-agency involvement and covers areas such as national legislation, coordination, risk communication, and commitment. The questionnaire is voluntary, but the fulfilment of this obligation establishes compliance with the IHRs and supports national level BWC implementation.

17. Preparedness is a key for responding to public health emergencies. We need to know quickly what happened, where it happened, who is affected, and how it happened. As such, the first 24 hours following an incident are critical. The deployment of appropriately trained rapid-response teams, the coordination of multi-agency responses and clear lines of communication to officials and the general public will need oversight by a well-defined chain of command to mitigate the effects of any incident. The use of an integrated IT system may also assist but all of these functions need to be established before any emergency occurs. It is also important to have an approach which takes into account the linkage between the health of humans, animals and the ecosystem, and respond to public health emergencies using a multi-hazard approach.

Capacity building

18. Capacity-building is another key issue that needs to be addressed. While there are many ongoing national programmes, changes in priorities and new developments can provide challenges to the implementation of such efforts. The importance of connectivity through networking, cooperation/collaboration and coordination to promote capacity building cannot be overstated. Such activities are required at the national, sub-regional, regional and international levels.

19. Identifying leaders and champions may help promote drive the implementation of the Convention at the national level. Engagement with civil society and the establishment of public-private partnerships can also play a positive role in building capacity.

20. Capacity-building will also be increased through training and awareness-raising activities. "Train the Trainer" is a useful and efficient method for reaching a wider group of actors/stakeholders (often separated geographically or by language barriers), to facilitate the transfer of knowledge. Local-based training could benefit from support by national and/or regional associations and organisations.

21. Sustainability has to be taken into account when building capacity through developing infrastructure and training activities. Nevertheless, it is important to note that systems of developed countries might not be sustainable in, or suitable for, developing countries, due to differences in values and lack of resources. Sub-regional and regional networks have an important role to play in helping to foster understanding and share

lessons learned. We note the efforts of regional bodies such as ASEAN to work in tandem with Global Partnership projects, including those recently supported by Canada as well as the work done with partners of the ASEAN Regional Forum.

International assistance

22. International assistance is available to support national and regional efforts in building capabilities and capacity to prevent, detect and respond to the outbreak of disease or deliberate use of a biological agent. States Parties are encouraged to share information on their support for, or receipt of, international assistance which includes submitting a national report on implementation of Article X of the BWC.

23. Pursuant to the decision of the 7th Review Conference, the BWC assistance database was established to serve as the primary reference point for international assistance within the framework of the Convention. State Parties could also submit any offers of, and requests for, assistance to the United Nations Security Council 1540 Committee. A summary of these requests for assistance can be found on the 1540 Committee website.

24. Regional programs are also available for capacity building. For example, in the Asia Pacific, the United Nations Regional Disarmament Centre for Peace, Disarmament and Development in Asia and the Pacific is developing a 1540 implementation plan and will in the future also support implementation of the BWC. The Centre is based in Kathmandu, Nepal, and would be able to provide states in the region support and advice where required.

25. The ASEAN Regional Forum has been active in promoting and helping to enhance biosecurity and biosafety, in partnership with the US and Australia, and will continue its engagement. This is important as more attention needs to be paid to developments in biology and the life sciences. It also requires building better coordination and cooperation, both domestically and internationally. The ASEAN Regional Forum has organized a series of workshops, highlighting the importance of enhanced cooperation amongst stakeholders, interagency cooperation and cross-disciplinarily biorisk management, and instilling a culture of responsibility in industry and academic instigations.

26. The European Union is also active in the ASEAN region. The European Union Instrument for Stability, launched in 2007, has the objective of restoring stability in the face of a crisis. This is achieved – in part – by building capacity in times of peace for preparedness and mitigation of CBRN events. There have been a number of initiatives in the South-East Asia and South Asia regions including through the European Union CBRN Centres of Excellence Initiative, under the Instrument for Stability. Activities and projects under this initiative try to join existing initiatives to reinforce national CBRN policies. States that have joined a regional centre are encouraged to establish national teams as cooperation between different agencies is required. These national teams assess needs and develop action plans for strengthening CBRN policies, and coordinate project plans.

27. A regional secretariat for the CBRN Centres of Excellence has been established in Manila, the Philippines, for activities in South-East Asia. The secretariat assists regional States in their efforts, has a coordinating role both for participating States and regional organisations, monitors and evaluates projects, and organizes round table meetings.

Conclusion

28. The aforementioned diverse measures can contribute to effective implementation of the BWC in a mutually complementary manner. They are worth being discussed nationally,

sub-regionally, regionally, and internationally among States Parties with a wide range of partners in order to work collectively for further enhancement of national implementation.